

**COMMONWEALTH OF VIRGINIA
Department of Environmental Quality
Tidewater Regional Office**

STATEMENT OF LEGAL AND FACTUAL BASIS

Ball Metal Beverage Container Corp.
Williamsburg, Virginia
Permit No. TRO60065

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Ball Metal Beverage Container Corp. has applied for a Title V Operating Permit for its Williamsburg, Virginia facility. The Department has reviewed the application and has prepared a Title V Operating Permit.

Engineer/Permit

Air Permit Manager:

Deputy Director:

FACILITY INFORMATION

Permittee

Ball Metal Beverage Container Corp.
James River Commerce Center
8935 Pocahontas Trail
Williamsburg, Virginia 23185

Facility

Ball Metal Beverage Container Corp.
James River Commerce Center
8935 Pocahontas Trail
Williamsburg, Virginia 23185

County-Plant Identification Number: 51-095-00008

SOURCE DESCRIPTION

NAICS Code: 332431 – Metal Can Manufacturing

Ball Metal Beverage Container Corporation manufactures aluminum beverage cans (not the final product). The process includes can manufacturing and labeling.

The facility is a regulated source of air emissions primarily due to the emissions of Volatile Organic Compound (VOCs). The facility is subject to federal New Source Performance Standards, and has been issued a New Source Review permit last amended on October 2005.

COMPLIANCE STATUS

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consist of the following:

<i>Emission Unit ID</i>	<i>Stack ID</i>	<i>Emission Unit Description</i>	<i>Size/Rated Capacity</i>	<i>Pollutant Controlled</i>	<i>Applicable Permit Date</i>
B1		Cleaver Brooks Boiler L54106, installed in 1972	12.553 million Btu/hr		
		Cleaver Brooks Boiler L54107, installed in 1972	12.553 million Btu/hr		
01	S010, S011, S020, S021, S022, S023, S024, S027, S028, S029, S030	Line 2 Internal Coating Oven	2.70 million Btu/hr	VOCs, HAPs, PM	10/2005
01		Line 3 Internal Coating Oven	4.05 million Btu/hr	VOCs, HAPs, PM	10/2005
01		Line 4/5 Combined Internal Coating Oven	9.0 million Btu/hr	VOCs, HAPs, PM	10/2005
01/02		Internal Coating Respray Oven (note: Oven functions as dome spray curing oven also)	2.4 million Btu/hr	VOCs, HAPs, PM	10/2005
02	S06, S017, S019, S029, S030, S035, S036, S037, S038	Line 2 Decorator and Oven	4.5 million Btu/hr	VOCs, HAPs	10/2005
02		Line 3 Decorator and Oven	4.5 million Btu/hr	VOCs, HAPs	10/2005
02		Line 4 Decorator and Oven	6.3 million Btu/hr	VOCs, HAPs	10/2005
02		Line 5 Decorator and Oven	6.3 million Btu/hr	VOCs, HAPs	10/2005
02		Off-Line Dome	1.21 gallons/hr	VOCs, HAPs	10/2005
02		UV Bottom Coater and Associated UV Light Curing Tunnel	0.15 gallons coating/hr	VOCs	8/31/2005 (exemption)
02		Decorator and Oven Processes, combined	32.8 gallons coating/hr and 32.6 lbs/hr high solids ink	VOCs, HAPs	10/2005
03	S016, S033, S034	Line 2 Basecoat Oven	4.5 million Btu/hr	VOCs, HAPs	10/2005
03		Line 4 Basecoat Oven	6.4 million Btu/hr	VOCs, HAPs	10/2005
04		Parts cleaning machines (small dip tanks), general wipe cleaning, and video jet.	4,050 gallons/yr	VOCs	10/2005
W02		Line 2 Combined Washer Oven	3.15 million Btu/hr	VOCs	10/2005
W03		Line 3 Combined Washer Oven	3.15 million Btu/hr	VOCs	10/2005
W04/5		Line 4/5 Combined Washer Oven	4.5 million Btu/hr	VOCs	10/2005
05		Can Marking System	0.08 gallons/million cans	VOCs	10/2005

*The Size/Rated Capacity is provided for informational purposes only, and is not an applicable requirement.

EMISSIONS INVENTORY

A copy of the 2004 emission inventory generated from CEDS is attached. Emissions are summarized in the following tables.

	2004 Criteria Pollutant Emission in Tons/Year					
	VOC	CO	SO ₂	PM ₁₀	PM	NO _x
Total	355.88	7.80	0.12	2.07	2.02	9.83

EMISSION UNIT APPLICABLE REQUIREMENTS – Fuel Burning Equipment Requirements

Limitations

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-50-20	Compliance for New and Modified Sources
9 VAC 5-50-80	Standard for Visible Emissions for New and Modified Sources
9 VAC 5-50-90	Standard for Fugitive Dust/Emissions for New and Modified Sources
9 VAC 5-40-900	Standard for Particulate Matter for Existing Sources
9 VAC 5-40-930	Standard for Sulfur Dioxide for Existing Sources=

Monitoring

The permit does not include a monitoring requirement for opacity from these boilers. The boilers are fueled by natural gas with propane backup. No opacity is expected from combusting these fuel types.

Periodic monitoring for the particulate standard and the sulfur dioxide standard will not be required. Based on calculations using AP42 emission factors and the capacity of the equipment, the likelihood of exceeding the standards is not great. These calculations follow:

AP42 emission factor for natural gas combustion for PM (total) = 7.6 lb/mmft³
 AP42 emission factor for natural gas combustion for SO₂ = 0.6 lb/mmft³
 each boiler is rated at 12.553 million Btu/hr
 heating value for natural gas = 1,050 Btu/ft³

PM emissions using AP42 emission factors are as follows:

$$(12.553 \text{ million Btu/hr}) / (1,050 \text{ Btu/ft}^3) = 11,955 \text{ ft}^3/\text{hr burned maximum}$$

$$(11,955 \text{ ft}^3/\text{hr}) \times (7.6 \text{ lb/mmft}^3) = 0.09 \text{ lb/hr particulate matter per boiler}$$

Title V permit limitation = 5.9 lbs/hr per boiler

SO₂ emissions using AP42 emission factors are as follows:

$$(11,955 \text{ ft}^3/\text{hr}) \times (0.6 \text{ lb/mmft}^3) = 0.007 \text{ lbs/hr per boiler}$$

$$(0.007 \text{ lbs/hr per boiler}) \times (2 \text{ boilers}) = 0.014 \text{ lbs/hr sulfur dioxide for the installation}$$

Title V permit limitation = 66.3 lbs/hr for the installation

Recordkeeping

To ensure compliance with the particulate matter and sulfur dioxide standards, the permit requires the source to maintain records of the type of fuel combusted in the boilers.

Testing

The permit requires construction of the facility in such a manner so as to allow for emissions testing at any time using appropriate methods.

The permit does not require source tests. A table of test methods has been included in the permit if testing is performed. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

Reporting

There are no specific reporting requirements for these units.

Streamlined Requirements

The permit does not contain any streamlined requirements for the fuel burning equipment.

EMISSION UNIT APPLICABLE REQUIREMENTS – Process Equipment Requirements (Emission Unit Id. Nos. 01-03, 05, W02, W03, W04/5)

Limitations

Following are limitations from the existing NSR/NSPS permit issued October 2005:

- NSR Condition 3: VOC work practice standard
- NSR Condition 4: plantwide emission limitation for VOC's
- NSR Condition 5: NSPS emission limitation
- NSR Condition 6: NSPS emission limitation
- NSR Condition 7: NSPS emission limitation
- NSR Condition 8: NSPS requirements by reference

The following Code of Federal Regulations has been determined to be applicable:

- | | |
|---------------------------|--|
| 40 CFR Part 60 Subpart WW | Standards of Performance for the Beverage Can Surface Coating Industry |
|---------------------------|--|

The following Virginia Administrative Codes that have specific requirements have been determined to be applicable:

- | | |
|----------------|---|
| 9 VAC 5-50-80 | Standard for Visible Emissions for New and Modified Sources |
| 9 VAC 5-40-260 | Standard for Particulate Matter for Existing Sources |

The source has requested a limitation on individual and total HAPs to be included in this permit (see Condition IV.A.3). Although EGBE was delisted by EPA, and therefore, this source will no longer be subject to 40 CFR 63 Subpart KKKK, this condition was requested to ensure continued status as synthetic minor for HAPs. A list of these pollutants is included as an attachment to the permit. If the source emits any of those pollutants in quantities exceeding the exemption levels listed in the attachment, approval must be obtained from the DEQ.

Continuing Compliance Determinations

Following are requirements from the existing NSR/NSPS permit issued October 2005:

- NSR Condition 9: NSPS performance evaluations
- NSR Condition 10: Testing/Monitoring

Although there is an applicable opacity standard, there is no corresponding monitoring, recordkeeping, and reporting requirement. In addition, 40 CFR Part 60 Subpart WW does not specify an opacity requirement. Opacity from this VOC source is not expected.

Recordkeeping

The NSR/NSPS permit dated October 2005, includes specific recordkeeping requirements for compliance with 40 CFR 60 Subpart WW. The records required to be kept include daily records of coating and ink consumption, emissions from the can marking system, and emissions for each individual HAP and for the total HAPs emitted at the facility.

Testing

The permit does not require source tests. A table of test methods has been included in the permit if testing is performed. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

Streamlined Requirements

The permit does not contain any streamlined requirements for the process equipment.

EMISSION UNIT APPLICABLE REQUIREMENTS – Parts Cleaning Requirements (Emission Unit Id. No. 04)

Limitations

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-40-3280	Standard for Volatile Organic Compounds
9 VAC 5-40-3290	Control Technology Guidelines
9 VAC 5-50-80	Standard for Visible Emissions for New and Modified Sources

Monitoring

The permit includes monitoring requirements based on 9 VAC 5-40-3280, for annual inspections.

Although there is an applicable opacity standard, there is no corresponding monitoring, recordkeeping, and reporting requirement. Opacity from this VOC source is not expected.

Recordkeeping

The permit includes a requirement to maintain records of annual inspection results, corrective actions taken, and methods of waste solvent disposal.

Testing

The permit requires construction of the facility in such a manner so as to allow for emissions testing at any time using appropriate methods.

The permit does not require source tests. A table of test methods has been included in the permit if testing is performed. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

Reporting

There are no specific reporting requirements for these units.

Streamlined Requirements

The permit does not contain any streamlined requirements for parts cleaning.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions

B. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the *Code of Virginia*, and the "Department of Environmental Quality Agency Policy Statement NO. 3-2001".

This general condition cite(s) the Article(s) that follow(s):

Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Operating Permits for Stationary Sources

This general condition cites the sections that follow:

- 9 VAC 5-80-80. Application
- 9 VAC 5-80-140. Permit Shield
- 9 VAC 5-80-150. Action on Permit Applications

F. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

J. Permit Modification

This general condition cites the sections that follow:

- 9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources
- 9 VAC 5-80-190. Changes to Permits.
- 9 VAC 5-80-260. Enforcement.
- 9 VAC 5-80-1100. Applicability, Permits For New and Modified Stationary Sources
- 9 VAC 5-80-1790. Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas
- 9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

U. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction

requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F.

Y. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

STATE-ONLY APPLICABLE REQUIREMENTS

Following are the state-only applicable requirements included in this permit:

9 VAC 5, Chapter 50, Part II, Article 2: Standards of Performance for Odorous Emissions

9 VAC 5, Chapter 60, Part II, Article 5: Emission Standards for Toxic Pollutants

FUTURE APPLICABLE REQUIREMENTS

No future applicable requirements have been identified.

INAPPLICABLE REQUIREMENTS

The following requirements have been determined to be inapplicable:

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	This requirement does not apply to Emission Unit B1 (Cleaver Brooks Boilers); these units were installed prior to June 9, 1989.
40 CFR 60 Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	This requirement does not apply to any of the tanks listed as insignificant. The tanks are either smaller in size than 10,000 gallons or were installed prior to the applicability date of July 23, 1984.
40 CFR 63 Subpart KKKK	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans	This requirement does not apply to this beverage can coating facility. This facility emits HAPs in amounts below 10 tpy of a single HAP and 25 tpy of combined HAPs. A federally enforceable condition regarding this limit is included in this permit.
40 CFR 63 Subpart DDDDD	National Emission Standards for Industrial, Commercial, and Institutional Boilers and Process Heaters	The source has fulfilled the initial notification requirement. With the inclusion in this permit of a requirement to limit HAPs to synthetic minor status, no other compliance requirements will apply.

The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A.4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

COMPLIANCE PLAN

There is no compliance plan associated with this permit.

INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Insignificant emission units include the following:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (5-80-720 B)	Rated Capacity (5-80-720 C)
OV Tank	Overvarnish Coating Tank	9 VAC 5-80-720 B	VOC	12,000 gallons
IC Tank	Internal Coating Tank	9 VAC 5-80-720 B	VOC	12,000 gallons
BC Tank	Basecoat Tank	9 VAC 5-80-720 B	VOC	12,000 gallons
GO	Grieve Oven for Drying Internal Coating Paste	9 VAC 5-80-720 B	VOC	N/A
WTS	Wastewater Treatment System	9 VAC 5-80-720 B	VOC	N/A
UO Tank	Used Oil Tank	9 VAC 5-80-720 B	VOC	10,000 gallons
BO1	Bulk Oil Tank #1	9 VAC 5-80-720 B	VOC	10,000 gallons
BO2	Bulk Oil Tank #2	9 VAC 5-80-720 B	VOC	10,000 gallons
P1	Propane Tank	9 VAC 5-80-720 B	VOC	30,000 gallons
P2	Propane Tank	9 VAC 5-80-720 B	VOC	30,000 gallons
TT	Trabon Lube Tank	9 VAC 5-80-720 B	VOC	2,000 gallons
MC1	Mist Collector for Lines 4 & 5	9 VAC 5-80-720 B	VOC and PM	15,750 ACFM
MC2	Mist Collector for Lines 2 & 3	9 VAC 5-80-720 B	VOC and PM	15,750 ACFM
Fork	Propane Powered Fork / Lift Trucks and Equipment	9 VAC 5-80-720 A	N/A	N/A
Heat	Natural Gas Comfort Space Heating Units	9 VAC 5-80-720 A	N/A	N/A
Water	Natural Gas Hot Water Heaters	9 VAC 5-80-720 B	SO ₂ , NO _x , CO, PM, VOC	N/A

CONFIDENTIAL INFORMATION

No information has been identified as confidential by the source.

PUBLIC PARTICIPATION

The proposed permit will be placed on public notice in The Virginian-Pilot from October 23, 2005 to November 22, 2005.